

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6309**

**BILL NUMBER:** SB 179

**NOTE PREPARED:** Apr 1, 2005

**BILL AMENDED:** Mar 31, 2005

**SUBJECT:** Vacancies Caused By Death.

**FIRST AUTHOR:** Sen. Dillon

**FIRST SPONSOR:** Rep. Thomas

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** (Amended) The bill establishes a procedure to give notice of the death of an officeholder to begin the process of filling the vacancy in office. The bill changes the time limit for holding a meeting or caucus to fill a vacancy. The bill specifies the 30 day period for a major party caucus to fill a vacant town or township office. The bill extends the notice procedure that applies when an officeholder dies to an officeholder removed from office because of a felony conviction, certain misdemeanor convictions, or after a civil proceeding contesting the right of an individual to hold an office. The bill adds a cross reference to school board offices to the notice procedure that applies when an officeholder dies. The bill resolves conflicts with the Title 20 recodification legislation.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) The bill would require trial courts with civil and criminal jurisdiction to file certified copies of judgements on persons not entitled to office and sentencing orders with the appropriate local official that receives death notices of office holders. This provision should be covered within trial courts' existing resources.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.